

**GOLDBERGER & DUBIN, P.C.**

ATTORNEYS AT LAW  
401 BROADWAY, STE 306, NEW YORK, NY 10013  
(212) 431-9380

PAUL A. GOLDBERGER\*

LAWRENCE A. DUBIN\*§

EDGAR L. FANKBONNER \*

FAX (212) 966-0588

E-MAIL: [GND401@AOL.COM](mailto:GND401@AOL.COM)

[www.goldbergerdubin.com](http://www.goldbergerdubin.com)

\* MEMBER OF NY BAR

§ MEMBER OF NJ BAR

VIA ECF

June 14, 2022

Honorable Lorna G. Schofield  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *Network Data Rooms, LLC v. Saulrealism LLC et al* (22-cv-02299-LGS)  
Request for a Supplemental Expert Report

Your Honor:

Please be reminded that Goldberger & Dubin, P.C., represents the defendants in this action, Saulrealism LLC, and Ryan Saul. This letter is submitted pursuant to the Court's May 10, 2022 Order, permitting the parties to propose additional questions for expert Terry Patterson following the issuance of his report.

It is respectfully requested, that the Court review the following questions from defense counsel and request a supplemental report from expert Terry Patterson.

1. Does an administrator have the capability to modify the password, security code, and/or multifactor authentication credentials (i.e., change of phone number) for a developer account? If so, which administrators have this capability? Does David Delorge as the "One Global Admin" have this capability?
2. On page 8 of the report, you assess that Ryan Saul must have downloaded the code to a PC to make changes and complete builds. Is there any data on the virtual machine that indicates that Ryan Saul downloaded the code on the virtual machine at any time during his consultant work from December 2020 through his termination in January 2022?
3. On page 11 of the report, you show a screen print of the virtual machine specifically for folder Windows>>code>>new>>NDR-2021. Is this the newest activity within the "code" folder? Are there any newer files within the contents of the remaining folders, entitled "ndr\_Backend", "ndr\_frontend", "ndr\_frontend\_v2," or anywhere else on the virtual machine?
4. On page 20 of the report, it summarizes that there were no decompiled source comments made to the Azure DevOps repository after 9/26/2021. It further states that there were no

deletes made in the NDRs Azure DevOps repositories, and that the repository logs cannot be altered. In support, a screen print of the “Dealtable Development” branch is shown. Based upon that one screen print, is your assessment limited to that no decompiled code was deposited to the “Dealtable Development” branch, and that branch’s repository log cannot be altered?

5. Can entire branches of code be deleted? Would a deleted branch appear in the current branches folder? Was there any attempt to search for an “exact match in deleted branches” for branches “Net Roadshow” or “Net Road Show?” (see, <https://docs.microsoft.com/en-us/azure/devops/repos/git/restore-deleted-branch?view=azure-devops>).
6. If a branch is deleted, are there any logs regarding the commit history?
7. Are audit logs available for the creation and deletion of branches?
8. Can branches be permanently deleted without the possibility of restoration? Can Azure DevOps be “rolled-back” to reflect earlier instances in time, where a branch was developed but is no longer accessible?
9. Is it possible that code could have been deployed from NDR’s Azure repository on 1/13/2022, and that the runtime code does not reflect the current code within the Azure repository?
10. Page 14 of the report shows a excel spreadsheet of the screen print of code runtime components on the web site. How was this spreadsheet generated? Does it demonstrate any other dates where there was a website build? When was the last date prior to 1/13/2022 where there was a website build?
11. Page 24 of the report shows a screen print of the Visual Studio publishing methods on the virtual machines. Are there any logs on the virtual machine’s Visual Studio that demonstrate Ryan Saul developed code, committed code to NDR’s Azure repository, or published code to the website at any time during his consultant work from December 2020 through his termination in January 2022?

Thank you for your consideration.

Respectfully submitted,

/s/Renee Wong  
Renee Wong, Esq.  
*On behalf of Defendants*  
Goldberger & Dubin, P.C.  
*Of Counsel*

CC: Nick Fortuna VIA ECF